

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

LOUIE FEDRICK,	§	
TDCJ-CID NO. 1068065,	§	
	§	
Petitioner,	§	
	§	CIVIL ACTION NO. H-06-2534
v.	§	
	§	
NATHANIEL QUARTERMAN,	§	
	§	
Respondent.	§	

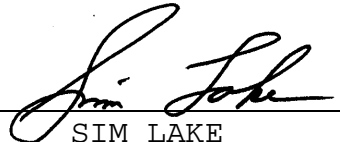
MEMORANDUM OPINION AND ORDER

The petitioner, a prison inmate, filed this habeas action challenging the outcome of a prison disciplinary proceeding. He was instructed to submit a petition using the proper forms and to pay the filing fee. However, the petitioner has not complied. The petitioner's failure to pursue this action forces this court to conclude that he is lacking due diligence.

Therefore, under the inherent powers necessarily vested in a court to manage its own affairs, the court determines that dismissal for want of prosecution is appropriate. See FED. R. CIV. P. 41(b). The petitioner is advised, however, that upon a proper showing, relief from this order may be granted in accordance with FED. R. CIV. P. 60(b). See Link v. Wabash R.R., 82 S.Ct. 1386 (1962).

Accordingly, it is hereby **ORDERED** that this action be **DISMISSED without prejudice** for want of prosecution.

SIGNED at Houston, Texas, on this 31st day of October, 2006.



SIM LAKE
UNITED STATES DISTRICT JUDGE